

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JAMES A. BRUNO and KATHLEEN M. BRUNO

Docket No. 5:09 CV 1308  
(GTS/DEP)

Plaintiffs,

-against-

**STIPULATION OF  
WITHDRAWAL  
OF CAUSE OF ACTION**

NIAGARA MOHAWK POWER CORPORATION,  
LG CONSTRUCTORS, INC., T D T REALTY  
CORP., CORELLIS HOLDING CORP. and  
THOMAS A. CORELLIS

Defendants.

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LG CONSTRUCTORS, INC.,

Third-Party Plaintiff,

-against-

MICHELS POWER, A DIVISION OF MICHELS  
CORPORATION and MICHELS CORPORATION,

Third-Party Defendants.

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**IT IS HEREBY STIPULATED AND AGREED**, by counsel for Defendant/Third-Party Plaintiff LG CONSTRUCTORS, INC. ("LG") and Third-Party Defendants MICHELS POWER, A DIVISION OF MICHELS CORPORATION and MICHELS CORPORATION ("MICHELS") that LG's second cause of action seeking common law indemnity and contribution from MICHELS is hereby withdrawn, with prejudice. The remaining causes of action in LG's Third-Party Summons and Complaint are not affected by this stipulation.

  
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Our File No.: 80187.00006

IT IS SO ORDERED:

  
David E. Peebles  
David E. Peebles  
U.S. Magistrate Judge

Dated: 1/24/12